
From: Medrano, Alarice (USACAC) <AMedrano@usa.doj.gov>
Sent: Friday, January 13, 2023 11:46 AM
To: SHK Chambers
Cc: Tursi, Joseph (USACAC); Laboni Hoq; Eunice Cho; Kyle Virgien; Michael Kaufman
Subject: ACLU Foundation of Southern California v. ICE, et al., 2:22-cv-04760-SHK

Magistrate Judge Kewalramani,

In accordance with the Court's Minute Order (ECF 36), below please find a list of citations to cases that provide for a different rate of production in FOIA cases.

Central District of California:

- *Center For Human Rights and Constitutional Law et al v. Department of State*, 2:16-cv-00899-SVW-SS. See Stipulation and agreement to process at a rate of 400 pages/month (ECF 14, at 3:12-17) and Order (ECF 15).
- *Craig Scott Rosebraugh v. DOJ*, 2:16-cv-09003-ODW-MRW. See Joint Rule 26(f) Report including FBI agreement to process at a rate of 500 pages/month (ECF 12, at 4:26-28; 5:9-16) and Order (ECF 13), Status Report (ECF 14, at 2:11-3:22) and Order (ECF 15), etc.
- *Jason Leopold, Buzzfeed Inc. v. DOJ, et al.*, 2:17-cv-03747-CBM-JEM. See Joint Status Report including FBI agreement to process at a rate of 500 pages/month (ECF 31, at 3:16-4:25) and Order (ECF 32).
- *Grayson Flory v. DHS*, 2:19-cv-09735-PSG-MRW. See Stipulation to Stay and CBP agreement to process at a rate of 500 pages/month (ECF 17, at 3:17-18) and Order (ECF 18), Stipulation Continuing Stay (ECF 19 at 3:8-11) and Order (ECF 20), etc. The rolling release is continuing in that case.
- *Al Otro Lado et al. v. DHS, et al.*, 2:20-cv-05191-ODW (MRWx). See Minute Order (ECF 35) (ordering 1,000 pages per month; citing cases).

D. C. Circuit Cases:

- *Am. Immigration Council v. U.S. Dep't of Homeland Sec.*, 470 F. Supp. 3d 32, 39 (D.D.C. 2020) (ordering 400 pages per month pursuant to a preliminary injunction under FOIA in a COVID-related case)
- *Bacardi v. Treasury*, No. 17-1828-CKK (D.D.C. Dec. 19, 2017) (ordering review rate of 350 pages/month over the plaintiff's objection)
- *Blixseth v. DOJ*, No. 18-2281-JEB (D.D.C. Dec. 17, 2018) (ordering 300 page/month review rate)

- *Chaverra v. U.S. Immigration & Customs Enf't*, 2020 WL 7419670, at *1 (D.D.C. Nov. 5, 2020) (ordering 500 pages/month and collecting similar cases)
- *Citizens United v. State*, No. 16-67-CRC (D.D.C. Aug. 16, 2016) (ordering 300 page/month review rate despite plaintiff's request that agency review 2,000 pages/month)
- *Citizens United v. State*, No. 16-108-RMC (D.D.C. July 27, 2016) (ordering 300 page/month review rate)
- *Citizens United v. State*, No. 18-326-CRC (D.D.C. May 30, 2018 & June 6, 2018) (ordering 300 page/month review rate despite plaintiff's request that agency review almost 8,000 pages/month, "in light of the resource constraints and production orders in other cases.")
- *Ctr. for Repro. Rights v. State*, No. 18-2217-DLF (D.D.C. Apr. 3, 2019) (300 page/month processing rate, despite the plaintiff's request for a higher rate, in a case where there are over 123,000 potentially responsive pages.)
- *Daily Caller News Found. v. FBI*, 387 F. Supp. 3d 112, 121 (D.D.C. 2019) (ordering 500 pages/month and rejecting plaintiffs' request for 1,200 pages/month)
- *Documented NY v. U.S. Dept. of State*, 2021 WL 4226239, at *5 (S.D.N.Y. Sept. 16, 2021) (ordering 400 pages/month and rejecting the plaintiff's request for remaining 2,600 pages to be processed and produced within approximately two-and-a-half months)
- *Jordan v. DOJ*, No. 17-2702-RC (D.D.C. Aug. 28, 2018) (ordering 300 page/month review rate)
- *Judicial Watch v. State*, No. 17-205-CRC (D.D.C. June 30, 2017) (ordering 300 page-per-four-week review rate despite plaintiff's request that agency review on average more than 16,000 pages/month)
- *Middle E. Forum v. DHS*, 297 F. Supp. 3d 183, 185-86 (D.D.C. 2018) (ordering 500 pages/month and rejecting plaintiffs' request for 1,000 pages/month, and collecting similar cases.)
- *Republican Nat'l Comm. v. U.S. Dep't of State*, 2016 WL 9244625, at *1 (D.D.C. Sept. 16, 2016) (ordering 500 pages/month)

Please let me know if any additional information is required.

Thank you.

Sincerely, Alarice Medrano



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